

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 11-10212-JLT
)	
1. JOHN WILLIS)	
a/k/a "Bac Guai John")	
2. BRANT WELTY)	
3. PETER MELENDEZ)	
a/k/a "Shrek")	
4. AIBUN ENG)	
5. BRIAN BOWES)	
6. KEVIN BARANOWSKI)	
7. MICHAEL CLEMENTE)	
a/k/a "Ricky Martin")	
9. MARK THOMPSON)	
12. BRIDGET WELTY)	
)	
Defendants.)	

FINAL STATUS REPORT

Pursuant to Local Rule 116.5(c), the United States of America and the undersigned defendants submit this joint status report in advance of the Final Status Conference scheduled for May 24, 2012.

1. Plea Status

The government and counsel for several defendants are in the midst of discussions which may result in resolution of the case as to that defendant without trial. At least as to some defendants, a resolution without trial appears likely. The parties will alert that Court as soon as a change of plea hearing become necessary.

Because of the ongoing plea negotiations, which appear likely to bear fruit for at least some defendants, and because of the possibility of a superseding indictment (as discussed below), the parties request that the Court schedule a further status conference for the last week in

June instead of reporting the case to the District Court.

2. Additional Discovery

The government is substantially up to date in its production of discovery. The government anticipates that it will produce additional information regarding newly-cooperating defendants as such information becomes available and laboratory backup and qualifications of its expert witnesses, and any other expert disclosures, not less than 21 days before trial, as the Court previously ordered.

The defendants reserve the right to file for additional discovery in response to the government's production of new discovery.

Defendant Peter Melendez was arraigned on May 7, 2012. The government anticipates that it will have provided initial automatic discovery before the hearing on May 24, 2012. Defendant Melendez reserves the right to file for additional discovery in response to the government's production.

3. Discovery Requests

Defense counsel have had an opportunity to request additional discovery. There is one outstanding request made by letter, for GPS data. The government anticipates that it will have responded to that request before the hearing on May 24, 2012.

3. Rule 12 Motions

As least one defendant anticipates moving to suppress evidence, which motion has not been filed. The parties anticipate scheduling such motions at the pretrial conference before the District Court. In the alternative, the parties request that Rule 12 motions be due six weeks after the case is reported to the District Court, with the government's response due 4 weeks after the motion.

4. Speedy Trial Act Calculations

On May 3, 2012, the Court issued an Order excluding time from April 25 through May 24, 2012, as to all defendants except Melendez. On May 7, 2012, the Court issued an Order excluding time from May 4 through May 24, 2012. Accordingly, zero days have been counted and 70 days remain under the Speedy Trial Act. The parties request that the Court exclude the time before May 24, 2012, and the date of the next scheduled hearing.

5. Anticipated Trial

The United States estimates that, as the case is currently constituted, a trial would last three to four weeks.

6. Other Matters

The government anticipates seeking a superseding indictment charging a money laundering conspiracy as to the remaining defendants, which would likely happen in June, prior to the date of the requested further final status conference.

Respectfully submitted,

AIBUN ENG

By: Neil Faigel

Neil Faigel
Counsel for Aibun Eng

MICHAEL CLEMENTE

By: James Cipoletta

James Cipoletta
Counsel for Michael Clemente

CARMEN M. ORTIZ
UNITED STATES ATTORNEY

By: Timothy E. Moran

Timothy E. Moran
Richard L. Hoffman
Assistant United States Attorney

Dated: May 17, 2012

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Timothy E. Moran
Timothy E. Moran